

SENATOR SMITH: I think Senator Wesely has stated a lot of the things that I was going to say and so I will just pass at this moment and just simply asking folks to support the reduction in the fee.

PRESIDENT: Okay. The question is the adoption of the Smith amendment. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 10 ayes, 14 nays, Mr. President, on adoption of the amendment.

PRESIDENT: The amendment fails. Do you have anything else on it, Mr. Clerk?

CLERK: Yes, sir, I do. Mr. President, Senator Wesely would move to amend the bill. (Senator Wesely's amendment is found on page 351 of the Legislative Journal.)

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Yes, Mr. President and members, the amendment, I did pass out to you a summary of the bill, and also some attachments, a summary of an amendment which is found on page 351 of the Journal. What we do in this amendment is define advertising purposes. If you remember, the committee did amend the bill so it applied to only dialing devices that were used for advertising purposes but we didn't define advertising purposes, and we do amend the bill so there is a definition there and we know exactly what we are talking about, and that includes solicitation, for instance, which is one of the concerns I had that the bill may not cover. That clearly is included now. In addition, if we don't include the other dialing devices that are out there, for instance, the ones like Sears that call you back when they have an order come in, there still is a need for the Public Service Commission to know what is out there and so this amendment would have those people register if they have a dialing device. So they don't need to pay the permit fee, they don't need to get a permit unless they are trying to advertise, but, at least, they should register and then the Public Service Commission will know who is out there. That way if somebody..

PRESIDENT: Excuse me, Senator Wesely. (Cavel.) Could we have